

NORTHERN-13

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT No. 16480

Application 14444 of STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, SACRAMENTO, CALIFORNIA 95814

filed on AUGUST 24, 1951, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

FEATHER RIVER

Tributary to:

SACRAMENTO RIVER

2. Location of point of diversion: (CALIFORNIA COORDINATE SYSTEM ZONE 2)	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridian
DIVERSION: OROVILLE DAM - N 681,581 AND E 2,145,832	NW ¼ of NW ¼	1	19N	4E	MD
DIVERSION AND REDIVERSION: THERMALITO DIVERSION DAM - N 678,538 AND E 2,128,276	SW ¼ of SE ¼	5	19N	4E	MD
FEATHER RIVER FISH HATCHERY DAM - N 675,483 AND E 2,127,942	SW ¼ of NE ¼	8	19N	4E	MD
REDIVERSION: THERMALITO FOREBAY - N 673,570 AND E 2,104,700	NW ¼ of SW ¼	10	19N	3E	MD
REDIVERSION: THERMALITO AFTERBAY - N 652,500 AND E 2,102,200	SW ¼ of SE ¼	33	19N	3E	MD
	¼ of ¼				

County of BUTTE

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridian	Acres
POWER	(1) OROVILLE POWERPLANT NW1/4 OF NW1/4	1	19N	4E	MD	
	(2) THERMALITO POWERPLANT NW1/4 OF SW1/4	10	19N	3E	MD	
INCIDENTAL RECREATIONAL, FISH AND WILDLIFE ENHANCEMENT	AT VARIOUS PROJECT FACILITIES ASSOCIATED WITH OROVILLE DAM AND RESERVOIR, AND THE FEATHER RIVER BELOW OROVILLE DAM, AS SHOWN ON MAP NO. 1878-1 REVISED DECEMBER, 1964.					

The place of use is shown on map filed with the State Water Resources Control Board.

4. THE WATER APPROPRIATED SHALL BE LIMITED TO THE QUANTITY WHICH CAN BE BENEFICIALLY USED AND SHALL NOT EXCEED 17,000 CUBIC FEET PER SECOND BY DIRECT DIVERSION, TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR, AND 3,500,000 ACRE-Feet PER ANNUM BY STORAGE, TO BE COLLECTED FROM SEPTEMBER 1 OF EACH YEAR TO JULY 31 OF THE SUCCEEDING YEAR.

THE TOTAL QUANTITY OF WATER TO BE APPROPRIATED BY STORAGE FROM THE FEATHER RIVER UNDER THIS PERMIT AND PERMITS ISSUED PURSUANT TO APPLICATIONS 5629, 5630, AND 14443 SHALL NOT EXCEED 3,880,000 ACRE-Feet PER ANNUM.

THIS PERMIT DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE OR FOR ANY OTHER PURPOSE.

5. THE MAXIMUM QUANTITIES HEREIN STATED MAY BE REDUCED IN THE LICENSE IF INVESTIGATION WARRANTS.

6. CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1980.

7. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1990.

8. PROGRESS REPORTS SHALL BE FILED PROMPTLY BY PERMITTEE ON FORMS TO BE PROVIDED ANNUALLY BY THE STATE WATER RESOURCES CONTROL BOARD UNTIL LICENSE IS ISSUED.

9. ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT, INCLUDING METHOD OF DIVERSION, METHOD OF USE AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

10. WATER ENTERING OROVILLE RESERVOIR OR COLLECTED IN THE RESERVOIR UNDER THIS PERMIT DURING AND AFTER THE CURRENT STORAGE SEASON SHALL BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY TO SATISFY DOWNSTREAM PRIOR RIGHTS AND TO THE EXTENT THAT APPROPRIATION OF WATER IS NOT AUTHORIZED UNDER THIS PERMIT.

11. IN ACCORDANCE WITH THE REQUIREMENTS OF WATER CODE SECTION 1393, PERMITTEE SHALL CLEAR THE SITE OF THE PROPOSED RESERVOIRS OF ALL STRUCTURES, TREES AND OTHER VEGETATION WHICH WOULD INTERFERE WITH THE USE OF THE RESERVOIRS FOR WATER STORAGE AND RECREATIONAL PURPOSES.

12. UPON THE REQUEST OF THE BOARD, PERMITTEE SHALL MAKE SUCH MEASUREMENTS AND MAINTAIN AND FURNISH TO THE BOARD SUCH RECORDS AND INFORMATION AS MAY BE NECESSARY TO DETERMINE COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS PERMIT, INCLUDING THE RECOGNITION OF VESTED RIGHTS AND FOR THE FURTHER PURPOSE OF DETERMINING THE QUANTITIES OF WATER PLACED TO BENEFICIAL USE UNDER THIS PERMIT, BOTH BY DIRECT DIVERSION AND STORAGE.

13. IN CONFORMITY WITH WATER CODE SECTION 10505, THIS PERMIT SHALL BE SUBJECT TO ANY AND ALL RIGHTS OF ANY COUNTY IN WHICH THE WATER SOUGHT TO BE APPROPRIATED ORIGINATES TO THE EXTENT THAT ANY SUCH WATER MAY BE NECESSARY FOR THE DEVELOPMENT OF SUCH COUNTY.

14. UNTIL FURTHER ORDER OF THE BOARD, PERMITTEE SHALL NOT COLLECT WATER TO STORAGE DURING THE PERIOD FROM APRIL 1 THROUGH JUNE 30 AT ANY TIME THE MAXIMUM SURFACE ZONE CHLORIDE ION CONTENT OF THE SAN JOAQUIN RIVER AT BLIND POINT EXCEEDS 250 PARTS PER MILLION. IF BLIND POINT IS NOT USED AS A MONITORING STATION, PERMITTEE SHALL ESTABLISH A CORRELATION WITH SOME OTHER STATION SATISFACTORY TO THE BOARD TO PROVIDE THE NECESSARY DATA ON QUALITY AT BLIND POINT.

15. UNTIL FURTHER ORDER OF THE BOARD, THIS PERMIT SHALL BE SUBJECT TO THE WATER QUALITY CRITERIA INCLUDED AS "EXHIBIT A" OF THE AGREEMENT ENTERED AT THE HEARING OF APPLICATIONS 5629, ETC., AS SRDWA EXHIBIT 17, INsofar AS THOSE CRITERIA DO NOT CONFLICT WITH OTHER TERMS INCLUDED IN THIS PERMIT.

16. PERMITTEE SHALL NOT OBJECT TO THE USE OF ANY QUANTITIES OF WATER SPECIFIED IN THE SCHEDULES OF MONTHLY DIVERSION OF WATER ATTACHED TO THOSE CONTRACTS BETWEEN USERS OF WATER ABOVE SACRAMENTO AND THE UNITED STATES BUREAU OF RECLAMATION HERETOFORE OR HEREFTER ENTERED INTO AS SUCH QUANTITIES ARE FROM TIME TO TIME REVISED EXCEPT IN THE EVENT OF A GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER OF THE SACRAMENTO RIVER SYSTEM.

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14444

PERMIT 16480

LICENSE _____

ORDER TO ADD TO THE PLACE OF USE, APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 16480 was issued to California Department of Water Resources on September 26, 1972 pursuant to Application 14444.
2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for the said changes and for the extension of time.
4. Permit Condition 10 pertaining to the continuing authority of the Board should be updated to conform to Standard Permit Term 12 as contained in Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 2000 (0000008)

2. Condition 8 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 2009 (0000009)

3. Condition 10 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all

or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

Dated: JULY 02 1991

ORIGINAL SIGNED
BY ROGER JOHNSON

Jed Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights